

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**MALCOLM WEEKS**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 3:15-CV-249 HTW-LRA**

**RON KING, SUPERINTENDANT**

**DEFENDANT**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter comes before this court pursuant to the Report and Recommendation of United States Magistrate Judge Linda R. Anderson which was entered on November 13, 2017. [doc. no. 24]. More than fourteen days, plus sufficient time for mailing, have passed since the Report and Recommendation was mailed to the Plaintiff, Malcolm Weeks. No objections have been filed to the Report and Recommendation of the Magistrate Judge.

The Magistrate Judge recommends that, pursuant to the record evidence, this matter be dismissed with prejudice and that Final Judgment should be entered accordingly.

Having reviewed the Report and Recommendation, as well as the court filings and the relevant law, this Court concludes that the findings in the Report and Recommendation [doc. no. 24] should be and are hereby **adopted** as this Court's own. Accordingly, this court hereby dismisses this habeas petition with prejudice. A separate Final Judgment will issue on this date.

The petitioner is again reminded that, having failed to file timely written objections to the proposed findings, conclusions, and recommendations contained in the Magistrate Judge's report, petitioner is barred, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. 28

U.S.C. §636; Fed. R. Civ. P. 72(b) (as amended, effective December 2009); *Douglas v. United Services Automobile Association*, 79 F.3d 1415, 1428-29 (5<sup>th</sup> Cir. 1996).

The Report and Recommendation of the Magistrate Judge [**doc. no.24**], thus, is hereby adopted as this court's own and this habeas petition is hereby dismissed with prejudice. A separate Final Judgment will issue on this date.

SO ORDERED AND ADJUDGED, this 14<sup>th</sup> day of December, 2017.

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s/ HENRY T. WINGATE  
UNITED STATES DISTRICT COURT JUDGE